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**OFFICIAL****To :**

Name	Company	Fax	Phone
Tekchand Saidha	USPTO	703-872-9306	571-272-0940

If you experience problems receiving this fax, please call Terri Lauro at 617-517-5592.

**Message : Re: Application No.: 10/001,218; filed 11/30/2001****Please confirm receipt by return facsimile. Thank you.****Fax**

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PAGE 1/18 \* RCVD AT 7/20/2004 4:34:22 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-1/0 \* DNIS:8729306 \* CSID:617 439 4170 \* DURATION (mm-ss):05-12

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July 20, 2004

**VIA FACSIMILE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

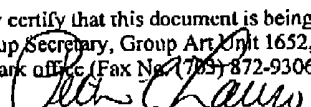
Re: U.S. Application Serial No.: 10/001,218, filed on November 30, 2001  
Title: ETHANOL PRODUCTION IN GRAM-POSITIVE MICROBES  
Inventors: Lonnie O. Ingram, *et al.*  
Attorney Docket No.: 49950-59824CON4

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

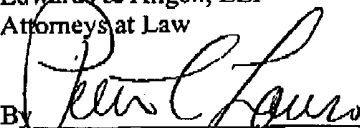
1. Amendment and Response After Final Pursuant to 37 C.F.R. §1.116 (7 pages);
2. Amendment Transmittal Letter (1 page, in duplicate);
3. Terminal Disclaimer to Oblivate a Double Patenting Rejection Over a Prior Patent (Patent No. 5,482,846) (1 page);
4. Terminal Disclaimer to Oblivate a Double Patenting Rejection Over a Prior Patent (Patent No. 5,916,787) (1 page);
5. Request for three (3) month extension of time (1 page, in duplicate) and;
6. Fee Transmittal (1 page, in duplicate).

Please charge any deficiencies or credit any overpayments to our Deposit Account No.04-1105.  
The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

<p align="center"><b>Certificate of Facsimile Transmission</b></p> <p>Date of Transmission <u>July 20, 2004</u></p> <p>I hereby certify that this document is being transmitted via facsimile to the Group Secretary, Group Art Unit 1652, in the U.S. Patent and Trademark Office (Fax No. (703) 872-9306) on the date shown above.</p> <p></p> <p>Signature <u>Peter C. Lauro, Esq.</u></p> <p>Please Print Name of Person Signing</p>
---

Edwards & Angell, LLP  
Attorneys at Law

By

  
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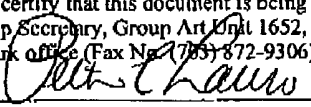
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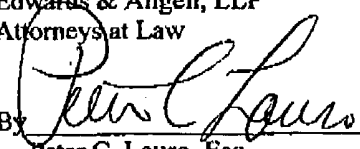
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re the application of: Lonnie O. Ingram *et al.*

Serial No.: 10/001,218

Filed: November 30, 2001

For: *ETHANOL PRODUCTION IN GRAM-  
POSITIVE MICROBES*

Attorney Docket No.: 49950-59824CON4

Group Art Unit: 1652

Examiner: Saidha, T.

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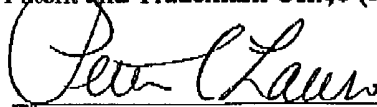
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Dated: July 20, 2004



Peter C. Lauro, Esq.

\*\*\*\*\*

AMENDMENT AND RESPONSE AFTER FINAL PURSUANT TO 37 C.F.R. §1.116

Dear Sir:

This is in response to the final Office Action mailed April 16, 2004 in the above-identified application. A separate request for a three-month extension of time in which to reply, and the requisite extension fee based on small entity status, are filed concurrently herewith.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.